

REMARKS

Claims 1-15 are pending in this application. Independent claims 1, 9, and 14 have been amended. New claim 15 has been added. Support for the amendments and for new claim 15 may be found in the specification at pages 2 (summary), 3 (e.g. third paragraph) and 4 (e.g. first paragraph) and in the Figures (*see e.g.* Figures 1 and 2).

No new matter has been added.

II. Rejections based on 35 U.S.C. § 102

The Examiner has rejected claims 1-3, 5, 9, 10, 13 and 14 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 368,003 to Polhemus. Applicants respectfully traverse this rejection and request reconsideration and withdrawal thereof in light of the amendments set forth above.

Independent claims 1, 9, and 14 have been amended to require that the blade includes two opposed ends, each adapted for contact with a workpiece, one of which contacts the workpiece during use of the cabinet scraper.

To anticipate a claim, a reference must teach each and every element of the claim, either expressly or inherently. *See* M.P.E.P. § 2131. Applicants respectfully submit that *Polhemus* does not teach every element of the claims because *Polhemus* fails to disclose a blade that includes two ends adapted for contact with a workpiece. Rather, the blade of *Polhemus* is not sharpened on both ends and is flat on one side and curved on the other. In contrast, claims 1-3, 5, 9, 10, 13 and 14, as amended, are directed to a cabinet scraper and require a cabinet scraper blade that includes two ends adapted for contact with a workpiece. Therefore, the claims are not anticipated by *Polhemus*. Applicants respectfully traverse this rejection and request reconsideration and withdrawal thereof.

III. Rejections based on 35 U.S.C. § 103

The Examiner has rejected claims 4 and 11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 368,003 to *Polhemus*. Applicants respectfully traverse these rejections and request reconsideration and withdrawal thereof.

The Examiner has rejected claims 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 368,003 to *Polhemus* in view of U.S. Patent No. 1,098,706 to *Bodmer*. Applicants respectfully traverse these rejections and request reconsideration and withdrawal thereof.

To establish a *prima facie* case of obviousness, three criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references when combined must teach or suggest all the claim limitations. See M.P.E.P. § 2142.

The deficiencies of *Polhemus* are discussed above. The disclosure of *Bodmer* does not cure these deficiencies. The combination of *Polhemus* and *Bodmer* does not teach or suggest all of the claim limitations. Nothing in the references teaches or suggests a cabinet scraper having a blade that includes two ends adapted for contact with a workpiece, as required by the claims. Applicants therefore respectfully submit that the claims are not rendered obvious by either *Polhemus* or *Bodmer*.

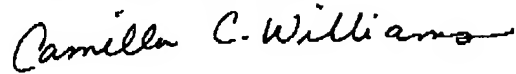
Response to Final Office Action
Page 8 of 8

CONCLUSION

The application is now in condition for allowance. Such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,



Camilla C. Williams
Reg. No. 43,992

KILPATRICK STOCKTON LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia 30309-4530
(404) 815-6500
Docket: L3440/277452